

Jane Luciano, Esq. CA. SBN 124263
Luciano Law
9000 Crow Canyon Road
Suite S #168
Danville, CA 94506
(925) 216-6030

William D. McCann, Esq. NV SBN 12038
P.O. Box 370
Genoa, Nevada 89411
Pro Haec Vice in Butte County Superior Court Cases

Attorneys for Plaintiffs and Claimants Liza Sims, individually and as executrix for
The Estate of Edna Gleason and Thomas and Jaydene Gardner

**IN THE BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA**

In re:

PG&E CORPORATION

-and-

PACIFIC GAS AND ELECTRIC.
COMPANY

Debtors

Bank. Case No.: 19-30088 (DM)
Chapter 11; Lead Case
(Jointly Administered)

STATEMENT OF ISSUES ON APPEAL

X. Affects Both Debtors.

Comes now Appellants Liza Sims et al and Thomas and Jaydene Gardner and designate the
following issues for decision on appeal.

1. Did the Bankruptcy Judge abuse his discretion in concluding that the so-called

APPELLANTS STATEMENT OF ISSUES ON APPEAL

1 “Channeling Injunction” issued in this matter required dismissal of Plaintiffs’ claims for punitive
2 damages against PG &E arising from their physical, mental, and property losses sustained in the
3 Camp Fire, authorized by 3 (three) separate State of California statutes allowing the same?
4

5 2. Is Bankruptcy Section 105 broad enough to disenfranchise these Plaintiffs’ claims for
6 punitive damages?

7 3. Did the Bankruptcy Judge err in failing to strike the 3 (three) declarations of Keith
8 Eggleton in support of PG&E’s motion, in so far as the facts therein appear to be but a
9 recapitulation of dismissal of punitive damages claims by various plaintiff’s lawyers who
10 PG&E successfully intimidated and are therefore irrelevant?
11

12 4. Do Plaintiffs have the right to trial by jury against PG&E on the issue of whether PG&E
13 was “willfully blind” as to its historical failure to repair/replace transmission lines, and related
14 equipment which became, over time, defective, and proximately caused the Camp fire?
15

16 5. Did the Bankruptcy Judge abuse his discretion in not considering the issues raised by
17 Will Abrams, by deciding Mr. Abrams had a lack of standing to assert them?

18 6. Do Plaintiffs have the right to trial by jury against PG&E on the issue of whether it
19 engaged in a “pattern and practice” in its failure to repair/replace its power line and equipment,
20 and/or control vegetation proximate thereto, sufficient to meet the requirement of “willfulness”
21 necessary to justify an award of punitive damages?
22

23 June 20, 2023
24

25 /s/Jane Luciano/s/

26 Jane Luciano
27

28 APPELLANTS STATEMENT OF ISSUES ON APPEAL